

September 13, 2005

The Honorable Richard D. Bennett
United States District Court
for the District of Maryland
Garmatz Federal Courthouse
101 West Lombard Street
Baltimore, MD 21201

RE: Timothy Sarvis v. Metabolife International, Inc., et al.
Civil Case No.: RDB-05-2411

Dear Judge Bennett:

The above-referenced case is an Ephedra products liability case arising from the plaintiff's use of a diet aid that allegedly was manufactured, promoted, distributed, and sold by the defendants, Metabolife International, Inc., The Chemins Company, Alpine Health Products, and Rite Aid.

Metabolife International, Inc. has filed for bankruptcy in the U.S Bankruptcy Court for the Southern District of California. At a recent hearing in the bankruptcy proceeding, the Court granted Metabolife's request for a preliminary injunction on all Metabolife cases. Pursuant to the court's order, Ephedra plaintiffs in all state and federal court Metabolife proceedings are preliminarily enjoined from pursuing their actions against all defendants, including Chemins. The preliminary injunction will be in effect until **December 6, 2005**, unless extended by the bankruptcy court. A copy of the Preliminary Injunction Order is attached for your reference.

We would appreciate Your Honor's guidance with respect to how this stay will impact the subject proceeding. Thank you.

Sincerely,
/s/
Susan E. Smith

SES/
Enclosure
cc: All parties and counsel of record